

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

DEVORIS ANTOINE NEWSON,

Plaintiff,

v.

**TRINITY SERVICES GROUP,
INC., ET AL,**

Defendants.

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**Civil Action Number 3:23-CV-81
District Judge Eli J. Richardson
Magistrate Judge Barbara D. Holmes
Jury Demand**

DEFENDANT’S MOTION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 41(b), Defendant Codey Spencer (“Spencer”) respectfully moves the Court to dismiss this lawsuit without prejudice for Plaintiff Devoris Antione Newson’s (“Newson”) failure to prosecute and failure to comply with the Court’s April 21, 2023 Order. (Docket Entry 16). Newson no longer is incarcerated at the El Paso County Jail Annex (“EPCJA”) and has not kept the Court or counsel apprised of his current address. In further support, Spencer submits a Memorandum of Law.

Respectfully submitted,

/s/ Erin Palmer Polly

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CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing has been served upon Filing Users via the electronic filing system and on other counsel and parties via U. S. Mail, first-class postage prepaid, this October 11, 2023, on the following:

Devoris Antione Newson (#9546176)
E.P.J.A.
12501 Montana Avenue
El Paso, Texas 79938

/s/ Erin Palmer Polly